

OWNER'S CERTIFICATE STATE OF TEXAS COUNTY OF DENTON CITY OF FRIBCO

WHEREAS DARLING FRISCO PARTNERS, LTD., is the owner of a tract of land out of the MEPSP RR SURVEY, Abstract No. 921 in the City of Frisco, Denion County, Texas being all of 1:05 30-43, Block F of kewman Vilage, Phase 1, an addition to the City of Frisco according to the piat thereof recorded in Cabin Page 804 of the Piat Records of Denion County, Texas and being more particularly described as follows:

THENCE with said north line, South 89°4557" West, a distance of 988.94 feet to an X in concrete found for the beginning of a non-langent curve to the left having a control angle of 52°57'41", a radius of 55.00 feet and a chord bearing and distance of North 81°14'10" West, 72.66 feet;

THENCE morthwesticity, continuing with said north line, and with said curve, an arc distance of 79.84 feet to a 56° iron rod found with a red pleatic cap stamped "KHA" for the scuttwest corner of Lot 30 of eath Nowman Village, Phase 1;

THENCE with the west line of said Lot 30, North 00*14'03* West, a distance of 113.60 feet to a 5/8* line nod found with a red plastic cap stamped "full" in the north line of said Newman Village, Phase 1 and the south line of a 180.82 acre tract of land described in deed to Bert Field, Jr. recorded in Volume 5/3, Page 684 of the Deed Records of Denton County, Texas;

THENCE with said south line, North 89"45'57" East, a distance of 1080.90 feet to a 1/2" fron rod found for the northeast corner of said Lot 43;

THENCE with the east line of said Lot 43, South 00°14′03° East, a distance of 125.00 feet to the POINT OF BEGINNING and containing 131,514 square feet or 3.0191 acres of fend.

Bearing system based on the Texas State Plane Coordinate System, NAD 83, and Zone 4202 according to the City of Frieco Monumentation and the monuments found in the north line of Newman Village, Phase 1, an addition to the City of Frisco according to the plat thereof recorded in Cabinet Y, Page 604 of the Plat Records of Design Carulat Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

- NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

 THAT DARLING FRISCO PARTHERS, LTD., acting herein by and through its duly authorized officers, does hardly carly and adopt this plat designating the herein above desarched property as. REPLAT OF NEWMAN VILLAGE, PHASE 1, BLOCK F, LOTE 30R-43R, an addition to the City of Fisco. The sheets and alleys shown on this plat as access easuments are for the use and benefit of the owners of the property in this subchision, the owner thereof shall be deemed to have agreed and acknowledged and does cardly the following:

 The streets and alleys are private streets and alleys and are declared to the City of Fisco as Access, Utility, and Ordinage Essentiants. The City has no responsibility or helpitally to make any repairs to such streets and alleys as long as they are private streets and alleys, as long as they are private streets and eleging, except repairs made necessary by reason of installation, repair or replacement of municipal utilities located therein or in the utility essentents adjacent thereto.

 So long as such streets and alleys are private, the sole responsibility or Inabian emission are replacement thereof shall be borne by the owners of the lots in this subdivision ent/or any homeowners' association hereafter established for the owners of the lots in this subdivision (the "Association"). Such maintenance and replacement adjacent thereto.

 Notice the property owners within this subdivision the "Association". Such maintenance and replacement can be replacement and be in conformance with the requirements, standards, and specifications of the City of Frixon, as presently in effect or as seen enable hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law.

 Notice the property owners within this subdivision more than a subdivision of the City of the City of the control of the provision of the provise streets and alleys to the City unkear and until the City has inspected such streets and alleys and determined that,
 - The easements and public use areas, as shown, are decidated for the benefit of the owners of the property in this subdivision, their leasees, invites and licensees—use forever, for the purposes indicated on this plat.

- The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision, their successors and assigns and the Association and its successors and assigns. The provisions hereof may be enforced by the City, any property owner in the subdivision, and/or the Association. The coverants and restrictions shall not with the land and be binding on the owners of the property in this subdivision, their successors and assigns, the Association, its accessors and assigns and all parties claiming by, through and under them. In the event a replet is requested on all or part of this property, the City may require any similar or additional restrictions and covenants in it's sole discretion. These covenants and restrictions shall terminate when all the access assements shown on this plut are included within a replat of all or part of this property and are dedicated to the City as public strests and alleys. In addition, all modifications to this document shall be by means of plat and approved by the City of Fisco.
 If the owners of the property in this aubdivision should open the private streets to the public, such use shall be considered a temporary incense only. The owners of property in the Association
- be considered a temporary license only. The owners of property in this subdivision through the Assa reserve the right to close the street to the public at any time prior to formal dedication of the street to the public, and acceptance of the same by the City.
- public, and acceptance of the same by the City. The corners of property in this subdivision and the Association shell allow access to the subdivision and the streets in the subdivision to all City employees and contractors exting on behalf of the City and all governmental service vehicles, including, without limitation, leve enforcement, fire, ambulance, sanitation, inspection and health vehicles. In addition, Utility Easements may also be used for the mutual use and accommodation or all public utilities desiring to use or using the same unless the essement limits the use to particular utilities, said use by public utilities being subordinate to the City's use thereof. The City of Friston and public utilities shall, at all times, have the full right for Impress and operate to right of the purpose of constructing, reconstructing, inspecting, paticiling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of prouning permission from anyone.
- and public utilities shall, at all times, have the full right of Ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, Inspecting, parbling, maintaining, reading meters, and adding to or renoving all or parts of their respective systems without the necessity of procuring permission from anyone. The provisions hereof shall be binding upon and enforceable against all property covers in this subdivision, their successors and assigns, and the Association and its successors and assigns, in the property owner in the subdivision, and/or the Association. These coverants and restrictions shall run with the lend and be thinding on the owners of the property in this subdivision, their successors and assigns, the Association, its successors and assigns and all perities claiming by, through and under them. In the event a replat is requested on all or part of this property, the Cty may require any similar or additional restrictions and covenants in its sale discretion. These covenants and restrictions shall terminate when all the access essements shown on this plat are included within a replat of all or part of this property and are addicated to the Cty as public streets and alique, in addition, all modifications to this document shall be by means of plat and approved by the Cty of Frisco. If the owners of the property in this subdivision should open the private streets to the public, such use shall be considered a temporary license only. The owners of property in this subdivision through the Association reserve the right to close the street to the public at any time prior to formal adadication of the street to the public, and acceptance of the street to the public at any time prior to formal adadication of the street to the public.
- reserve the right to close the street to the public at any time prior to formal dedication of the street to the public, and acceptance of the same by the GIV.

 The owners of property in this subdivision and the Association shall allow access to the subdivision and the streets in the subdivision to all City employees and contractors acting on behalf of the City and all governmental service vehicles, including, without limitation, be refrozened; fire, ambulance, sanitation, inspection and health vehicles. In addition, Utility Essements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easument limits the use to particular utilities, shall, at all times, have the full right of ingress and syness to or from their respective easuments for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading relater and adding to or removing all or parts of their respective systems without the necessity of procuring permission from anyone.
- easements for the purpose of constructing, encountering, inspecting, barrowing, maintaining, earling metars, and adding to or removing all or parts of their respective systems without the necessity of procuring permission from anyone.

 The owners of property within this subdivision hereby agree and recognize that the entire subdivision is benefited by hardle the owners to maintain and control access to the private streets shown hereon, and that the City is benefited by hardle the value of the property enhanced for ad visioner that purposes and not being under any meintenance obligations with respect to the private streets and aleys. For purposes of enforcement of these coverants, the benefits shall constitute sufficient and valid consideration.

 The owner of each lot affected by a drainage essement scross the rare protion of such lot may not construct any improvements within such lot except those improvements which (a) do not impeded the natural flow of water across the property affected by such drainage essement (such as swimming pools and open fences) and (b) are built in accordance with and pursuant to a building permit issued by the City. In no event shall barling Prisco Partner, Litt, the City, the Association or any of their successors or assigns have any isolity for any improvements built in any drainage or utility essement. Each lot owner shall build in such area at his or her own that and shall indemently Darling Frisco Partner, Litt, the City, the Association or his provements on such associated with the construction of improvements in such owner's lot in any drainage or ottility exament.

 11. No buildings, fances, brees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Internative with the construction of improvements. If approvement is not by the City. Landscapely may be placed into near other examents with city
- Basements, if approved by the City. Landscaping may be plead in/or near other easuments with city approval. The City and public utilify entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Frisco is not responsible for replacing any improvements in, under, or over any easements caused to
- 12 Invalidation of any word, phrase, sentence, paragraph, covenant or restriction by court judgment or otherwise, shall not affect the validity of the other covenants or restrictions contained herein.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Frisco,

WITNESS, my hand, this the ____day of_ DARLING FRISCO PARTNERS, LTD.

By: Shoel LLC a Toxas limited liability compan

Robert C. Darling, Executive Vice Presiden

STATE OF TEXAS &

BEFORE MC, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Robert C. Darling known to me to be the person end officer whose neers is subscribed to the beopping backtures, and subconvisional to me that it excelled the series for the purposes and considerations bench supersonal and to the capacity demands stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE this this ______ day of ____

Notary Public, State of Texas

W-KED

IRF = IRON ROD FOUND IRS = IRON ROD W/ CAP SET IRE = IRON ROD FOUND IPS = IRON PIPE FOUND

DE = DRAINAGE FASEMEN SSE = SANITARY SEWER EASEMENT HE = LITHITY PASEMENT

PWME = PRIVATE WALL MAINTENANCE FASMENT AMUE = ACCESS, MAINTENANCE AND USE FASEMENT

1.) All corners are 5/6" iron rods set with a plastic cap stamped "KHA" unless otherwise noted

Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.

3.) All common areas and open space to be conveyed to and maintained by the H.O.A.

5.) All alleys are 18' private alleys, access and utility easements

6.) All alleys and streets are Lot 1, Block P.

7.) All private retaining walls shall be maintained by the H.O.A.

SURVEYOR'S CERTIFICATION

That I, Dans Brown, do hereby certify that I prepared this plet and the field notes made a part thereof from an actual and accurate survey of the land and that the comer monuments shown thereon were properly pleased under my personal supervision, in accordance with the Subdivision regulations of the City of Prince, Trease.

Dated this the 6 th, day of March, 2010,

DANA BROWN
Registered Professional Land Surveyor No. 5338
Kimley-Hom and Associates, Inc.
12700 Park Centul Drive, Suits 1900
Dallas, Texas 79251
Phone 972-770-1900
Fex 972-239-3520



VICINITY MAP

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Dana Brown, known to me to be the person and officer whose name is autoenthed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity ferein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 8 th day of March, 2010

Notary Public, State of Texas

THE REASON FOR THIS REPLAT IS TO ADD A 5' PRIVATE WALL MAINTENANCE EASEMENT ON THE BACK OF THE LOTS

CITY OF FRISCO PROJECT RP10-0003

REPLAT NEWMAN VILLAGE PHASE ONE BLOCK F. LOTS 30R TO 43R

BEING 14 LOTS BEING DEVELOPED TO PLANNED DEVELOPMENT STANDARDS IN PLANNED DEVELOPMENT ORDINANCE NO. 211 AND 213 14 SF-5 LOTS BEING 3.0191 ACRES OUT OF MEP& P RR SURVEY ABSTRACT NO. 921 CITY OF FRISCO, DENTON COUNTY, TEXAS

APPROVED this tire______ day of _____ Planning & Zoning Commission of the City of Edisco, Texas. PLANNING & ZONING COMMISSION CHAIRPERSON

> FLANNING & ZONING COMMISSION SECRETARY CITY SECRETARY

Kimley-Horn and Associates, Inc.

12700 Park Central Drive, Suite 1800 Dallas, Texas 75251 Tel. No. (972) 770-1300 Fax No. (972) 239-3820 Drawn by <u>Checked by</u> Date TBB 03-04-2010

20° H. 10° C. 10 TYPICAL BUILDING LINES FOR SF-5 LOTS

OWNER/APPLICANT: Darling Frisco Partners, Ltd. 2500 Legacy Drive #100 Frisco, Toxas 75034 Tel No. 972-624-4106 Fax No. 972-624-4106 Contact : Michael Slack

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